



Room 301, Hall of Records
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Board of Supervisors Agenda

Chairman

Juan Arambula

3rd District

Vice Chairman

Susan B. Anderson

2nd District

Phil Larson

1st District

Judith G. Case

4th District

Bob Waterston

5th District

Bart Bohn

County Admin. Officer

Phillip S. Cronin

County Counsel

Bernice E. Seidel

Clerk

ACTION SUMMARY MINUTES

TUESDAY

MARCH 11, 2003

9:00 A.M.

PLEDGE OF ALLEGIANCE

Supervisor Arambula

1. Recognize and support the goals and objectives of the San Joaquin Valley Leave A Legacy Program

CAnLA
W/abst

RECOGNIZED; ADOPTED RESOLUTION NO. 03-117

2. Proclaim March 2003 as Professional Social Work Month

CAnLA
W/abst

APPROVED AS RECOMMENDED; ADOPTED RESOLUTION NO. 03-086

3. **Morning Consent Agenda – Item Numbers 29-43**

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

CAnLA
W/abst

APPROVED AS RECOMMENDED

Administrative Office

4. Adopt resolution accepting and expressing gratitude for a donation of \$30,000 from the Friends of the Library for deposit to the Library Trust Fund

CLAnA
W/abst

APPROVED AS RECOMMENDED

5. Adopt resolution recognizing and appreciating the volunteers of the Fresno County Library

CLAnA
W/abst

APPROVED AS RECOMMENDED

The Tuesday Board of Supervisors meeting is broadcast live on
Radio KFCF•FM 88.1 9:00 A.M. until Noon and 2:00 P.M. until 6:00 P.M.

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Internet: www.fresno.ca.gov/0110/agenda.html

6. Presentation by managers of local mosquito abatement districts on preparations for the expected arrival of West Nile virus in Fresno County and authorize the Clerk to execute

RECEIVED

7. Accept and receive report on Fresno County's Integrated Substance Abuse Service Delivery Plan

LCAAnA
W/abst

APPROVED AS RECOMMENDED

8. Authorize the establishment of a capital project for a new Coroner/Public Administrator/Public Guardian Facility; and approve Budget Transfer No. 54 (\$300,000)

LCAAnWA

APPROVED AS RECOMMENDED; DIRECTED STAFF TO PROVIDE A PROGRESS REPORT IN THE NEAR FUTURE WITH A TIMELINE OR SCHEDULE OF THE VARIOUS ACTIVITIES

9. Consider request for support from the Council of Fresno County Governments Policy Board to seek funding in Washington D.C. for projects of community-wide significance

CLAnWA

APPROVED AS RECOMMENDED WITH THE ADDITION OF THE DEVELOPMENT OF REGIONAL VOCATIONAL TRAINING FACILITIES AND FRESNO REGIONAL JOBS INITIATIVES

10. Adopt resolution directing staff to commence activity necessary to support the design and construction of a new Superior Court facility to be located in the City of Selma

CAnLWA

APPROVED AS RECOMMENDED; DIRECTED STAFF TO FOLLOW UP ON TRAFFIC CITATION REVENUE WITH THE CITY OF FRESNO

11. Receive presentation on Giant Sequoia National Monument Management Plan Draft Environmental Impact Statement and provide direction to staff; and authorize Chairman to sign letter conveying Fresno County comments on the Draft Environmental Impact Statement

LWAnCA

APPROVED AS RECOMMENDED WITH ADDED LANGUAGE REGARDING SUPPORT FOR THE USE OF STEWARDSHIP PROGRAMS TO SUPPORT IMPLEMENTATION OF THE PLAN AND TO PLACE A GREATER EMPHASIS ON THE PROMOTION OF TOURISM AND TO SUPPORT ALTERNATIVE SIX

12. Consider and direct staff regarding a request from Council Member Brian Calhoun concerning the County unemployment rate

CLAnWA

DIRECTED STAFF TO PREPARE A LETTER OF SUPPORT OF COUNCIL MEMBER CALHOUN'S EFFORTS TO HIGHLIGHT UNEMPLOYMENT AND INDICATE COUNTY'S INTEREST IN COOPERATING WITH ALL THE CITIES IN FRESNO COUNTY

Supervisor Case

13. Consider and provide direction regarding the principles outlined by the California State Association of Counties (CSAC) for the purpose of establishing guidelines for renegotiating the Tribal-State Indian Gaming Compact

CWAnLA

APPROVED AS RECOMMENDED THE PRINCIPLES OUTLINED BY THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) FOR THE PURPOSE OF ESTABLISHING GUIDELINES FOR RENEGOTIATING THE TRIBAL-STATE INDIAN GAMING COMPACT

14. Approve and authorize Chairman to execute a revenue agreement with First Five of Fresno to accept Proposition 10 grant funding to expand the Comprehensive Infant Toddler Enrichment program (\$399,924); and adopt resolution increasing the FY 2002-03 Department of Children and Family Services Orgs. 56402233 and 56407447 appropriations and estimated revenues (\$61,316) for the program expansion (4/5vote)

AnLCWA

APPROVED AS RECOMMENDED

15. **Board of Supervisors' Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)

RECEIVED

16. **Board Appointments** – (List attached in packet and posted on bulletin board outside of Board Chambers)

FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE

REAPPOINTED LUISA MEDINA AND JOHN M. REYES

HOUSING AUTHORITY

APPOINTED MARY ANN RIOJAS TO REPLACE CHRISTINA HERNANDEZ

MENTAL HEALTH BOARD

REAPPOINTED SHEILA KORNZWEIG AND TOM BAILEY

SEQUOIA AREA VIII DEVELOPMENTAL DISABILITIES BOARD

REAPPOINTED LINDA LAUGESEN-GILES

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT, CAC

APPOINTED PAUL BETANCOURT AS THE AG INDUSTRIAL MEMBER AND JEFFREY HARRIS AS THE AG INDUSTRIAL ALTERNATE MEMBER

CAnLWA

APPROVED NOMINATIONS FOR APPOINTMENTS/REAPPOINTMENTS

17. **Closed Session** –
 - a. Conference with legal counsel – Significant Exposure to Litigation Government Code Section 54956.9 (b) – No. of Cases: 1
 - b. Conference with legal counsel - Initiation of Litigation Government Code section 54956.9 (c) – No. of Cases: 1

HELD

NOON RECESS

2:00 P.M.

18. Afternoon Consent Agenda – Item Numbers 44- 52

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Afternoon Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

AnCLWA

APPROVED AS RECOMMENDED

Administrative Office

19. Conduct a hearing to receive protests from County Service Area No. 31 property owners on imposing increased structural fire and recreational service fees as required under Proposition 218; if there is no majority protest, adopt resolution to direct staff to proceed with the ballot process; and if there is a majority protest, adopt resolution denying fee increase and continue with existing fees (**Noticed for 2:00 p.m.**)

AnLCWA

CONDUCTED HEARING; DIRECTED STAFF TO PROCEED WITH THE BALLOT PROCESS

20. Adopt Resolution of Application to form the Auberry Area County Service Area for fire and first responder medical service, subject to the Emergency Medical Services Act (H&S Code Section 1797, et seq), and forward to Fresno County Local Agency Formation Commission (LAFCo) to conduct a hearing and approval

CWAnLA

APPROVED AS RECOMMENDED

21. Consider and adopt resolution authorizing simultaneous rescission of Agricultural Land Conservation Contract No. 1151 and enter into new ALCC No. 8143 based on seven findings required by the Land Conservation Act of 1965 (Williamson Act)

LWAnCA

APPROVED AS RECOMMENDED

22. Consider and take action on Initial Study Application No. 4887 and Amendment to Text Application No. 349 proposing to provide standards for “start-up” bed and breakfast operations and modify procedures for small-scale winery operations

CLAnWA

TENTATIVELY APPROVED NEGATIVE DECLARATION AND AMENDMENT TO TEXT NO. 349 WITH MODIFICATIONS, AND CONTINUED TO MARCH 25, 2003, TO ALLOW COUNTY COUNSEL TO RESEARCH ISSUES RELATED TO PROPOSED MODIFICATIONS

23. Consider and take action on the request of the Fresno Metropolitan Flood Control District for approval of the siting of the Dry Creek Extension Basin

AnLCWA

CONTINUED TO MARCH 25, 2003, AT 2:00 P.M.; REQUESTED PHIL DESATOFF TO PROVIDE A WRITTEN BRIEFING REGARDING GROUND WATER ISSUES AND BE AVAILABLE FOR THE HEARING ON MARCH 25, 2003; DIRECTED STAFF TO NOTIFY NEIGHBORS OF THE MARCH 25, 2003, HEARING;

24. Consider report regarding options available to mitigate fiscal impacts from Governor’s proposal to eliminate funding for Williamson Act subventions and direct staff accordingly

CLAnA
W/NO

DIRECTED STAFF TO LOOK AT ALL PARCELS IN THE WILLIAMSON ACT TO BE SURE THAT THEY ARE ECONOMICALLY VIABLE AND RELATED TO AGRICULTURE

25. Approve and authorize Chairman to Execute the attached AB 939 Compliance Order Local Assistance Plan, and authorize Department of Public Works and Planning staff to issue a Request for Proposal to retain the services of a consultant to assist Department staff in evaluating the establishment of solid waste franchise or permit areas and the implementation of a construction and demolition debris ordinance

AnLCWA

APPROVED RECOMMENDED ACTION NO. 1 OF AGENDA ITEM; DIRECTED STAFF TO ALLOW FOR SPLIT CONSULTING SERVICES IF WARRANTED, REQUEST INFORMATION AND RESEARCH WHAT HAULERS HAVE DONE, MOVE THIS EFFORT FORWARD AS QUICKLY AS POSSIBLE, MAKE INFORMATION AVAILABLE TO THE PUBLIC, AND RETURN TO THE BOARD AS SOON AS POSSIBLE FOR CONSIDERATION OF A PERMIT FREEZE

26. Consider and take action under Section 4.5 of MOU between County, City of Clovis and Clovis Community Development Agency on proposed intensification of land-use designations proposed by City of Clovis in its Southeast Urban Center Specific Plan (continued from 2-25-03)

AnWCLA

APPROVED TAKING AN AGGRESSIVE LEADERSHIP ROLE IN DEVELOPING A REGIONAL SOLUTION FOR WASTEWATER; DIRECTED STAFF TO MEET WITH THE REGIONAL WASTEWATER COMMITTEE FOR INPUT AND FURTHER INFORMATION

AnCLWA

CONCURRED ON THE INTENSIFICATION OF LAND USE CONDITIONED ON A REGIONAL PLAN FOR WASTEWATER

27. Consider appeal by Nortrax, Inc., and make determination on the merits of the appeal

WAnCLA

GRANTED APPEAL BY NORTRAX AND DIRECTED STAFF TO PUT CONTRACT OUT FOR REBID WITH CLARIFICATION ON EQUIPMENT LIFE CYCLE AND COMMUNICATION WITH COUNTY REPRESENTATIVES

28. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

HELD

ADDENDUM TO AGENDA

Supervisor Larson

Resolution honoring the five honorees for the 2003 Common Threads Award recognizing women in agriculture for their philanthropic contributions. Award winners – Anne Hester, Liz McCabe, Sayre McFarlane Miller, Mary Cameron, and Maxine Machado

Placement on Agenda: **A.M. Consent**

LCAnA
W/abst

APPROVED AS RECOMMENDED; HELD ON A.M. REGULAR AGENDA

Supervisor Arambula

Proclaim March 16 through 22, 2003 as National Safe Place Week

Placement on Agenda: **To Follow Item 2**

CAnLA
W/abst

APPROVED AS RECOMMENDED

CAnLWA

ADJOURNED

NEXT MEETINGS:

March 25, 2003 – 9:00 A.M.

April 8, 2003 – 9:00 A.M.

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk to the Board of Supervisors (559) 488-3529 no later than Monday at 9:00 a.m.

MORNING CONSENT AGENDA – Item Numbers 29-43

(Any Board Member may pull any consent item for discussion or separate vote)

CAnLA
W/abst**APPROVED AS RECOMMENDED****Assessor-Recorder**

29. Approve amendment to Salary resolution (Appendix E), effective March 17, 2003, for the Assessor-Recorder to add 2.0 full time Office Assistant I/II/III and 1.0 full time Property Recording Clerk positions, and allocate one (1.0) Supervising Office Assistant II position and place in partial combination with existing positions; and adopt budget resolution increasing the FY 2002-03 appropriations and estimated revenues for the Assessor-Recorder Org. 04200200 (\$39,933) to finance the additional staffing cost (4/5 vote)
30. Adopt resolution increasing the appropriations and estimated revenues for FY 2002-03 in the Assessor-Recorder Org. 04200200 (\$100,000) to purchase modular and other furniture (4/5 vote)

Sheriff

31. Approve and authorize Chairman to sign a retroactive agreement with the City of Fresno Police Department effective November 1, 2002, through October 31, 2003 for 3 full time sworn positions and related vehicle maintenance utilized in the Cal-MMet program (\$263,242)

Administrative Office

32. Approve Conflict of Interest Code Amendment for Assessment Appeals Board
33. Adopt resolution terminating local emergency status as a result of the Marks/Nielsen Debris Fire
34. Approve and authorize submittal of the FY 2002-03 Child Health and Disability Prevention/California Children's Services Plan to the State Department of Health Services
35. Approve and authorize submission of an application and grant proposal to the United States Department of Agriculture's Food and Nutrition Services for the Federal FY 2003 Food Stamp Program for funding to re-design the County's Food Stamp intake process (\$1,361,655)
36. Adopt resolution to approve the 2003-04 Fresno Arts Council grant application with the California Arts Council (\$20,000)
37. Adopt resolution increasing the FY 2002-03 Department of Adult Services Org. 5630 appropriations and estimated revenues (\$63,069) to provide funding for supportive housing services; adopt resolution increasing the FY 2002-03 Information Technology Services Department Internal Services Fund Org. 8908 appropriations and estimated revenues for hardware (\$2,105) (4/5 vote); and adopt resolution increasing the FY 2002-03 Fleet Services Internal Service Fund Org. 8911 (\$20,000) to purchase one 7-passenger vehicle (4/5vote)

38. Authorize the Director of Personnel Services to solicit proposals for health plans and to negotiate agreements with vendors to provide health benefits to County employees, retirees and their dependents beginning health plan year 2004; and make the finding that it is in the best interest of the County to waive Administrative Policy No. 34 (Competitive Bids and Requests for Proposal) in soliciting proposals for the 2004 health-plan year
39. Adopt budget resolution increasing the FY 2002-03 appropriations and estimated revenues in Probation Org. 34300440 (\$848,512) to allow for cost associated with food service to be accounted for in a separate budget unit (4/5 vote); Approve and authorize Clerk to execute Budget Transfer No. 52 transferring funds within Probation Org. 34409999 and 34300440 (\$671,828); and approve amendment to Salary Resolution (Appendix C) by adding 18 food service positions to Probation's Org. 34300440, while concurrently deleting the same positions from Probation's Org. 34409999, effective March 17, 2003
40. Approve amendment to Salary Resolution (Appendix D) by adding 5 positions to Probation's Org. 34300700 to Stop Grant, while concurrently deleting the same positions from Probation's Org. 34321200 [Challenge Grant], effective March 31, 2003
41. Amend the 2003 Board calendar by moving the 2003-04 Budget Hearings from the week of July 21, 2003 to the week of June 23, 2003
42. Adopt resolution increasing appropriations in the 2002-03 Library Budget 7515 (\$38,061) and the County Administrative Office Budget 0120 (\$18,400) and decreasing the General Fund designation for accrued annual leave liability (\$56,461) (4/5 vote)
43. Approve and authorize Chairman to execute a retroactive two-year agreement with Fresno-Madera Area Agency on Aging to claim reimbursement for Targeted Case Management Services (\$200,000)

AFTERNOON CONSENT AGENDA – Item Numbers 44 – 52

(Any Board Member may pull any consent item for discussion or separate vote)

AnCLWA

APPROVED AS RECOMMENDED

44. Adopt resolution authorizing submittal of an application to USDA, Rural Development for funding under the Housing Preservation Grant Program (\$150,000); and authorize the Director of the Department of Public Works and Planning to execute the Housing Preservation Grant application and related documents necessary for participation in the program
45. Adopt resolution amending the Department of Public Works and Planning Budget 4360/0900 for FY 2002-03 to appropriate the tourism contract with the Fresno Convention and Visitors Bureau (\$96,000) (4/5 vote)
46. Approve recommended actions for Tract No. 4939, two miles south of unincorporated community of Shaver Lake
47. Adopt the proposed Negative Declaration prepared for Initial Study Application No. 4851 for the acquisition of an approximately 2.5-acre parcel of land (portion of APN 019-061-04S) for development and operation of a public library, located near the southeast corner of Belmont and Derrick Avenues in Mendota; accept a Grant Deed and approve and authorize Chairman to execute the Real Estate Purchase Agreement with Joseph F. Coelho, Jr. and Bonnie Coelho, Jerald W. Coelho and Mercedes Coelho, and John A. Coelho and Veronica M. Coelho, Trustees of the John A. and Veronica M. Coelho Living Trust of 1997 for the acquisition of a 103,634 square-foot parcel of land (\$155,000) contingent upon making the necessary findings required pursuant to the Land Conservation Act of 1965 (Williamson Act); accept a Grant Deed from the Mendota Unified School District for a 50-foot wide parcel of land along Belmont Avenue between Mendota High School and Derrick Avenue; authorize the Chairman to execute a Grant Deed to Joseph F. Coelho, Jr. and Bonnie Coelho, Jerald W. Coelho and Mercedes Coelho, and John A. Coelho and Veronica M. Coelho, Trustees of the John A. and Veronica M. Coelho Living Trust of 1997 for a portion of the 50-foot strip deeded to the County by the Mendota Unified School District in exchange for a credit of \$25,827 on the purchase price of the property (4/5 vote)
48. Conduct second hearing of proposed ordinance to amend the Fresno County Ordinance Code by amending Title 15 regulating building and construction within Fresno County.
49. Adopt resolution accepting and expressing gratitude to the Mendota Unified School District for a donation of land to facilitate construction of the Mendota Library valued at \$47,189

50. Approve and authorize the County Librarian to submit completed applications to the California State Library for Library Bond Act 2000 projects for the Fowler (\$3,442,246) and Mendota (\$5,415,658); authorize Chairman to sign the application forms for Fowler and Mendota libraries; authorize the Chairman to sign the Cooperative Agreements for Joint Venture projects between the County of Fresno and the Mendota, and the Fowler Unified School Districts; adopt resolutions committing to operation of the facilities, certifying the project budget, guaranteeing the local match, and committing to operating the libraries for forty years, (the local match for Fowler is \$1,105,231 and for Mendota, \$1,731,267)
51. Adopt resolution authorizing sale of 17-acre parcel from a 150-acre parcel of land subject to Agricultural Land Conservation Contract No. 114, upon a determination that the smaller parcel is equally adapted for the permitted use
52. Approve and authorize Chairman to execute a relinquishment agreement with the California Department of Transportation to accept collateral facilities modified by construction of State Highway 168, from McKinley Avenue to 1 Km. north of Dakota Avenue